

## 46 Am. Jur. 2d Judges § 52

American Jurisprudence, Second Edition | February 2022 Update

### Judges

Glenda K. Harnad, J.D.; and Kristina E. Music Biro, J.D., of the staff of the National Legal Research Group, Inc.

### VII. Compensation; Benefits; Allowances for Expenses

#### A. In General

## § 52. Adequacy of judge's compensation

[Topic Summary](#) | [Correlation Table](#) | [References](#)

### West's Key Number Digest

West's Key Number Digest, [Judges](#)  [22\(.5\)](#), [22\(5\)](#)

A legislature has a constitutional obligation to provide judges an adequate amount of compensation, commensurate with judicial responsibilities, in order to guarantee the independence of the judicial branch, despite a state constitution's failure to mention adequacy of compensation.<sup>1</sup> Retirement benefits have been considered in determining the adequacy of compensation; where a statute substantially reduces judges' retirement benefits, the reductions violate the constitutional requirement of adequate compensation of judges.<sup>2</sup>

© 2022 Thomson Reuters. 33-34B © 2022 Thomson Reuters/RIA. No Claim to Orig. U.S. Govt. Works. All rights reserved.

### Footnotes

- <sup>1</sup> [Goodheart v. Thornburgh](#), 118 Pa. Commw. 75, 545 A.2d 399 (1988), order aff'd, 521 Pa. 316, 555 A.2d 1210 (1989), on reconsideration, 523 Pa. 188, 565 A.2d 757 (1989).  
As to changes in judges' compensation, generally, see §§ 57 to 60.  
As to the validity of statutorily mandated differences in the compensation of judges or between judges and other public employees, see § 56.
- <sup>2</sup> [Goodheart v. Thornburgh](#), 118 Pa. Commw. 75, 545 A.2d 399 (1988), order aff'd, 521 Pa. 316, 555 A.2d 1210 (1989), on reconsideration, 523 Pa. 188, 565 A.2d 757 (1989).  
As to retirement benefits, generally, see § 59.  
As to changes in judges' compensation, generally, see §§ 57 to 60.

---

End of Document

© 2022 Thomson Reuters. No claim to original U.S. Government Works.